

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY SP D.C.
05 MAY 31 AM 9:07
ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W. D. OF TN JACKSON

MARCIA B. NANCE,)
)
Plaintiff,)
)
v.) No. 1-04-1307-T/AN
)
THE GOODYEAR TIRE & RUBBER CO.,)
)
Defendant.)

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1)): JUNE 10, 2005

JOINING PARTIES:

For Plaintiff: JUNE 24, 2005
For Defendant: JUNE 24, 2005

AMENDING PLEADINGS:

For Plaintiff: JUNE 24, 2005
For Defendant: JUNE 24, 2005

COMPLETING ALL DISCOVERY: DECEMBER 9, 2005

- (a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and REQUESTS FOR ADMISSIONS:** DECEMBER 9, 2005
- (b) **EXPERT DISCLOSURE (Rule 26 (a)(2)):**
 - (i) Plaintiff's Expert: SEPTEMBER 9, 2005
 - (ii) Defendant's Expert: OCTOBER 10, 2005
 - (iii) Supplementation under Rule 26(e): OCTOBER 20, 2005
- (c) **DEPOSITIONS OF EXPERTS:** DECEMBER 30, 2005

This document entered on the docket sheet in compliance with Rule 58 and/or 79 (a) FRCP on 5/31/2005

(7)

FILING DISPOSITIVE MOTIONS: JANUARY 10, 2006. Any response to a dispositive motion, including a motion for summary judgment, shall be filed within 30 days of the filing of the dispositive motion or by FEBRUARY 9, 2006, whichever is earlier.

FINAL LIST OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

(a) **PLAINTIFF:** FEBRUARY 24, 2006

(b) **DEFENDANT:** MARCH 10, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under rule 26(a)(3).

The trial of this matter is expected to last three to four days, and is **SET FOR JURY TRIAL** at 9:30 a.m. on Monday, April 10, 2006. A joint pretrial order is due on Friday, March 31, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

DATE: May 27, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 7 in case 1:04-CV-01307 was distributed by fax, mail, or direct printing on May 31, 2005 to the parties listed.

Herbert E. Gerson
FORD & HARRISON, LLP- Ridge Lake Blvd.
795 Ridge Lake Blvd.
Ste. 300
Memphis, TN 38120

Carol J. Chumney
GLANKLER BROWN, PLLC
5050 Poplar Avenue
Suite 2400
Memphis, TN 38103

David P. Knox
FORD & HARRISON, LLP- Ridge Lake Blvd.
795 Ridge Lake Blvd.
Ste. 300
Memphis, TN 38120

Honorable James Todd
US DISTRICT COURT